

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Eric C. Deters,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:19cv24
vs.	:	
	:	Judge Susan J. Dlott
Mark Schweikert,	:	
	:	
Defendant(s).	:	

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on May 6, 2019 a Report and Recommendation (Doc. 18). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 19).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, plaintiff's motion for judgment on the pleadings (Doc. 8) is DENIED.

Defendant's motion for judgment on the pleadings (Doc. 13) is GRANTED as follows:

Plaintiff's claims for injunctive relief and for attorney's fees are DISMISSED with prejudice;

Plaintiff's claim for declaratory relief is DISMISSED either under *Rooker-Feldman* (with prejudice); however, as an alternative, dismissal under the doctrine of *Younger* abstention (without prejudice);

If any reviewing court disagrees with the recommendation for dismissal of the claim for declaratory relief as specified in ¶ 2(b) of the Report and Recommendation, the Court will alternatively DISMISS the claims on the merits;

Based upon plaintiff's inclusion of patently frivolous claims and arguments in clear violation of Rule 11, Fed. R. Civ. P, the Court ORDERS a Show Cause Order directing plaintiff to show why a monetary sanction should not issue based upon the filing of the complaint.

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Susan J. Dlott
United States District Court